

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cv-00218-GCM**

S. SHANE SMITH,

Plaintiff,

vs.

**NORTH CAROLINA DEPARTMENT
OF ADULT CORRECTIONS, et al.,**

Defendants.

ORDER

THIS MATTER is before the Court on Plaintiff's "Request for Information" [Doc. 59], which the Court construes as a motion for extension of the dispositive motions deadline.

Pro se Plaintiff S. Shane Smith ("Plaintiff") is a prisoner of the State of North Carolina currently housed at Rutherford Correctional Center in Spindale, North Carolina. He filed this action in the Eastern District of North Carolina on November 16, 2022, against Defendants North Carolina Department of Adult Corrections (NCDAC); Todd Ishee, the NCDAC Secretary; John/Jane Doe, the Americans with Disabilities Act (ADA) Coordinator; and Teresa Jardon, the Foothills Warden, claiming that Defendants violated his rights under the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12101, et seq., and the Rehabilitation Act of 1973 ("Rehab Act"). [Doc. 1]. The case was transferred here, and, on September 25, 2023, Plaintiff's Amended Complaint passed initial review in accordance with the Court's Order. [Docs. 12, 15, 16]. The current dispositive motions deadline in this case is November 18, 2024. [10/18/2024 Text Order].

On August 26, 2024, the Court entered an Order on Plaintiff's then pending motion to

compel discovery. [Doc. 55]. The Clerk mailed a copy of the Order to Plaintiff the same day. [8/26/2024 (Court Only) Docket Entry]. In the pending motion, Plaintiff explains that he never received a copy of that Order and only recently learned that it had issued when he received a copy of the docket sheet in this matter on an unrelated request. [Doc. 59 at 1-2; see 10/9/2024 (Court Only) Docket Entry]. Plaintiff now seeks a copy of the Order on his motion to compel and to stay these proceedings “to get caught up” and review the Order so that he knows how to proceed. [Id. at 4]. The Court will order that the dispositive motions deadline in this case be extended to December 18, 2024 and direct the Clerk to mail Plaintiff a copy of the Order as a courtesy.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff’s motion for extension of the dispositive motions deadline [Doc. 59] be **GRANTED**.

The Clerk is respectfully instructed to mail Plaintiff a copy of the Court’s [55] Order.

IT IS SO ORDERED.

Signed: November 4, 2024

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

